

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

Auburn University

Opposer,

v.

Lipscomb Family Partnership, Ltd.

Applicant.

Opposition No. 122,047

Mark: TOOMERS CORNER

OPPOSER'S MOTION ON CONSENT TO SUSPEND PROCEEDINGS

Pursuant to Trademark Rule 2.117(c), Auburn University, Opposer herein, through its authorized attorneys requests that the instant proceedings be suspended for a period of six (6) months from September 13, 2002 to and including March 13, 2003.

Opposer has requested and has received the consent to this suspension request from Applicant's counsel, Bingham B. Leverich. Opposer requests this suspension for the purpose of settlement negotiations, which are ongoing. Accordingly, Opposer and Applicant request this suspension so that they may have an opportunity to reach an amicable resolution and avoid unnecessary expenditure of the Board's resources.

This Motion is being submitted in triplicate as required by 37 C.F.R. § 2.102(d).

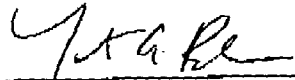
A copy of this motion on consent is being sent to Applicant's counsel.

I hereby certify that the foregoing document and attachments are being deposited with the United States Postal Service via **EXPRESS MAIL** Post Office to Addressee addressed to: Box: TTAB - NO FEE, The Assistant Commissioner for Trademarks, 2900 Crystal Drive, Arlington, Virginia 22202-3513, on this 27 day of August, 2002.

EXPRESS MAIL NO.: ET 267130436 US

By: Ligam McLean

Respectfully Submitted,

BY: 
Timothy A. Bush, Esq.
SIROTE & PERMUTT, P.C.
P.O. Box 55727
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Attorneys for Opposer
Auburn University

Dated: 8/27/02

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Mark TOOMEY'S CORNER No. 122,047

The date stamp of the Patent & Trademark Office hereon confirms the date on which the following was received

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- ☐ Trademark Application with Declaration drawing, 3 specimens and a check in payment of fees
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- ☐ Certificate of Express Mail
- ☐ Notice of Opposition
- ☐ Request for Extension of Time
- ☐ Section 8 Affidavit (and)
- ☐ Petition to Commissioner
- ☐ Answer
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- ☐ Section 15 Affidavit
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

TRANSMITTAL LETTER (GENERAL)
(With Certificate of Mailing by Express Mail)

Applicant/Registrant: Auburn University
Serial No.: Cancellation No. 122,047
Registration No.:
Trademark: TOOMERS CORNER

Docket No.
022690-00010

TO THE ASSISTANT COMMISSIONER FOR TRADEMARKS:

Transmitted herewith is/are the following document(s):

Opposer's Motion On Consent to Suspend Proceedings with Certificate of Service (submitted in triplicate)
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Timothy A. Bush, Esq.
Sirote & Permutt, P.C.
P.O. Box 55727
Birmingham, AL 35255-5727

cc: Susan Smith

Dated: 8/27/02

I certify that this document and fee is being deposited on 8/27/02 with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 and is addressed to the Assistant Commissioner for Trademarks, 2900 Crystal Drive,



Signature of Person Mailing Correspondence

Tiffany McClain

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To: Frances S. Wolfson, Esq.	From: Tiffany McClain
Fax: 703-746-7087	Pages: 6
Phone: 703-903-3000	Date: December 11, 2002
Re: Opp. No. 122,047	C/M: 22690-10

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